

AMENDED IN ASSEMBLY MARCH 26, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

## ASSEMBLY BILL

**No. 809**

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**Introduced by Assembly Member Obernolte**

February 26, 2015

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An act to amend Section ~~1405~~ 13119 of the Elections Code, relating to elections.

### LEGISLATIVE COUNSEL'S DIGEST

AB 809, as amended, Obernolte. ~~Election dates.~~ *Local initiative measures: ballot printing specifications.*

*Existing law requires that the ballots used when voting on a proposed county, city, or district ordinance submitted to the voters as an initiative measure have printed on them specified text relating to the proposed ordinance and dictates the placement of that text.*

*This bill would also require that if the ordinance proposes to impose a tax or raise the rate of a tax to be levied, the ballot include in the statement of the ordinance the amount of money to be raised annually and the rate and duration of the tax to be levied. By imposing new duties on local elections officials, the bill would create a state-mandated local program.*

*The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.*

*This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.*

~~Existing law generally requires that an election for a county, municipal, or district initiative measure that qualifies for the local ballot pursuant to specified procedures be held not less than 88 nor more than 103 days after the date of the order of election, except as specified.~~

~~This bill would make technical, nonsubstantive changes to this provision.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.  
State-mandated local program: ~~no~~-yes.

*The people of the State of California do enact as follows:*

1     *SECTION 1. Section 13119 of the Elections Code is amended*  
2     *to read:*

3     13119. (a) The ballots used when voting upon a proposed  
4     county, city, or district ordinance submitted to the voters of the  
5     respective local government as an initiative measure pursuant to  
6     Division 9 (commencing with Section 9000) shall have printed on  
7     them the words "Shall the ordinance (stating the nature thereof)  
8     be adopted?" Opposite the statement of the ordinance to be voted  
9     on, and to its right, the words "Yes" and "No" shall be printed on  
10    separate lines, with voting squares. If a voter stamps a cross (+)  
11    in the voting square after the printed word "Yes," his or her vote  
12    shall be counted in favor of the adoption of the ordinance. If he or  
13    she stamps a cross (+) in the voting square after the printed word  
14    "No," his or her vote shall be counted against its adoption.

15    (b) *If the proposed ordinance imposes a tax or raises the rate*  
16    *of a tax, the ballot shall include in the statement of the ordinance*  
17    *to be voted on the amount of money to be raised annually and the*  
18    *rate and duration of the tax to be levied.*

19    SEC. 2. *If the Commission on State Mandates determines that*  
20    *this act contains costs mandated by the state, reimbursement to*  
21    *local agencies and school districts for those costs shall be made*  
22    *pursuant to Part 7 (commencing with Section 17500) of Division*  
23    *4 of Title 2 of the Government Code.*

24    ~~SECTION 1. Section 1405 of the Elections Code is amended~~  
25    ~~to read:~~

26    ~~1405. (a) Except as provided below, the election for a county,~~  
27    ~~municipal, or district initiative that qualifies pursuant to Section~~  
28    ~~9116, 9214, or 9310 shall be held not less than 88 nor more than~~  
29    ~~103 days after the date of the order of election.~~

1     ~~(1) When it is legally possible to hold a special election on an~~  
2 ~~initiative measure that has qualified pursuant to Section 9116;~~  
3 ~~9214, or 9310 within 180 days prior to a regular or special election~~  
4 ~~that occurs wholly or partially within the same territory, the~~  
5 ~~election on the initiative measure may be held on the same date~~  
6 ~~as, and be consolidated with, that regular or special election.~~

7     ~~(2) When it is legally possible to hold a special election on an~~  
8 ~~initiative measure that has qualified pursuant to Section 9116;~~  
9 ~~9214, or 9310 during the period between a regularly scheduled~~  
10 ~~statewide direct primary election and a regularly scheduled~~  
11 ~~statewide general election in the same year, the election on the~~  
12 ~~initiative measure may be held on the same date as, and be~~  
13 ~~consolidated with, the statewide general election.~~

14     ~~(3) To avoid holding more than one special election within any~~  
15 ~~180-day period, the date for holding the special election on an~~  
16 ~~initiative measure that has qualified pursuant to Section 9116;~~  
17 ~~9214, or 9310, may be fixed later than 103 days but at a date as~~  
18 ~~early as practicable after the expiration of 180 days from the last~~  
19 ~~special election.~~

20     ~~(4) Not more than one special election for an initiative measure~~  
21 ~~that qualifies pursuant to Section 9116, 9214, or 9310 may be held~~  
22 ~~by a jurisdiction during any period of 180 days.~~

23     ~~(b) The election for a county initiative that qualifies pursuant~~  
24 ~~to Section 9118 shall be held at the next statewide election~~  
25 ~~occurring not less than 88 days after the date of the order of~~  
26 ~~election. The election for a municipal or district initiative that~~  
27 ~~qualifies pursuant to Section 9215 or 9311 shall be held at the~~  
28 ~~jurisdiction's next regular election occurring not less than 88 days~~  
29 ~~after the date of the order of election.~~